



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Andre Cephas,
Auditor 1 (PS4670I), Department of
Corrections

Examination Appeal

CSC Docket No. 2018-533

ISSUED: APRIL 2, 2018

(ABR)

Andre Cephas appeals the determination of the Division of Agency Services (Agency Services), which found that he did not meet the experience requirement for the promotional examination for Auditor 1 (PS4670I), Department of Corrections (DOC).

The subject examination was announced with a closing date of April 21, 2017 and was open, in part, to applicants who possessed a Bachelor’s degree including or supplemented by 21 semester hour credits in accounting subjects and one year of accounting or auditing experience. The subject examination was cancelled on September 2, 2017, as the appellant was the only applicant and he was deemed ineligible.

On his application, the appellant indicated, in relevant part, that he possessed a Bachelor’s degree in Business Studies with a concentration in Accounting from Stockton University and served as a provisional Auditor 1 from November 2016 to April 2017. Agency Services found that the appellant met the education requirements for the subject examination. However, it did not credit the appellant’s provisional service in the Auditor 1 title as applicable experience, as it found that the duties listed in his application appeared to mimic the required duties listed on the job specification instead of describing his actual responsibilities in that position. Furthermore, Agency Services found that his remaining experience was not applicable for the subject examination, as there was no indication that the required duties were the primary focus of his duties in any of those positions. Consequently, he was deemed ineligible for the subject examination.

On appeal, the appellant indicates that as an Auditor 1, he conducted entrance conferences with the DOC's institutions management team to explain the scope, objectives and procedures to be used during each audit; prepared working papers in accordance with Generally Accepted Audit Standards (GAAS); interviewed staff to review their compliance with Generally Accepted Accounting Principles (GAAP), Department of the Treasury regulations, procedures and guidance; reviewed internal control and accounting procedures within departmental units to determine, modify or change the scope and parameters of each audit; attended informal exit conferences and post-audit conferences with auditees to discuss findings of audits and prepare notes of each auditee's agreement or disagreement with the findings; and monitored field location accounting procedures for compliance with departmental policies and procedures.

The appointing authority indicates that it supports the appellant's appeal.

Agency records indicate that the appellant continues to serve provisionally in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.6(a)2 provides that applicants must meet all requirements specified in a promotional examination announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause shown in a particular situation.

Initially, based on the clarifying information submitted on appeal, the appellant's provisional service as an Auditor 1 constitutes six months of applicable experience for the subject examination. A review of the record shows that the appellant continues to serve provisionally in the subject title, thereby providing him with an additional 10 months of applicable experience for the subject examination. Additionally, the record indicates that the examination situation is not competitive, since the subject examination was cancelled, as the appellant was the only applicant. Moreover, the appointing authority has indicated its support of the appellant's appeal. In this regard, *N.J.A.C.* 4A:1-1.2(c) provides that the Commission may relax a rule for good cause in a particular situation. Under these circumstances, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a)2 and accept the appellant's provisional experience after the closing date, for eligibility purposes only, and admit him to the subject examination.

ORDER

Therefore, it is ordered that this appeal be granted, the cancellation of the examination be rescinded and the appellant's application be processed.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 27TH DAY OF MARCH, 2018

Deirdre L. Webster Cobb

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